

Regular Meeting of Town Council Garrett Park Town Hall 10814 Kenilworth Avenue Garrett Park, MD 20896

MINUTES

Meeting Call to Order: Mayor Keller called the meeting to order at 8:05 PM. Present were Councilmembers Irons, Mandel, and Wegner. Also present was Administrator Pratt, Mary Moyer of the *Bugle*, and a number of Town residents. Mayor Keller explained that Councilmembers Berry and Hansen had told him that they would not be attending the meeting due to conflicts in their schedules.

Approval of Agenda: The agenda was approved as posted without objection.

Public Hearing:

- Demolition Hearing: 11009 Kenilworth Avenue - Councilmember Irons summarized the application of Mike Henley to demolish his home at 11009 Kenilworth Avenue. The home had been damaged beyond repair in a fire in June of 2008 and was to be torn down and replaced with a new home in the same location. Councilmember Irons asked Mr. Henley about the status of the replatting of the three lots that comprise the property as required by Town ordinance. Mr. Henley indicated that he had retained the services of a surveyor who had begun the process. Councilmember Irons **MOVED**

That the Council approve the application for a permit to demolish the home at 11009 Kenilworth Avenue, and that the Town Administrator was authorized to issue the permit upon receipt of confirmation that Mr. Henley had filed for replatting of the lot with the Montgomery County Planning Department. The motion was seconded by Councilmember Wegner and was **PASSED** unanimously.

Presentations by Residents:

- Henri Keller reminded the Council of the Film Society's showing of the film *My Man Godfrey* on Friday evening, April 24th, and that a "soup kitchen" supper will be provided.
- Mary Moyer noted that the annual Musicale, a benefit to provide musical instruction for a GPES student, is to be held this year on May 17th.
- Councilmember Mandel urged everyone to attend the Citizens Association Candidates' Forum on Wednesday evening, April 22nd at the Town Hall.

Mayor's Report:

- Mayor Keller reported that with the advice and consent of the Council, he had appointed Pat Keating to the Setback Advisory Committee to take the seat vacated by the death of Donn Mader.

- The Mayor noted that there were openings on the Parks & Open Space Committee and the need for an alternate Town representative to the Montgomery County Martin Luther King, Jr. Day Committee, and that interested residents should contact the Town Office.
- Mayor Keller thanked the Citizens Association for delaying the start of it March meeting to accommodate residents who wished to attend the meeting at the Garrett Park Elementary School regarding the design of the new school; he noted that as a result of input from Town residents, particularly Natalie Grande, and detailed drawings made by Dick Pratt, changes had been made by MCPS building planners to improve the traffic flow and alleviate concerns for the safety of students walking to the new school.
- The Mayor thanked Councilmembers Irons and Wegner for serving has Acting Mayor during his recent absence from Town.
- Mayor Keller reported that he and Councilmember Mandel would be attending a meeting on Tuesday, April 24th, hosted by the City of Rockville, with Congressman Van Hollen on stimulus funds, in an effort to find ways to find funding to support projects in the Town's Capital Improvement Plan (CIP).
- The Mayor also reported on a meeting on the ongoing development of the White Flint area that he and Councilmember Wegner attended. A coalition of citizens groups has been formed in response to increasing concern about the impact of the White Flint development that will eventually bring many new dwelling units into the area, as well as significant added commercial The effect on Garrett Park Elementary School, the and retail space. possibility of changes in the middle and high schools that local children attend; traffic on Rockville Pike, Strathmore Avenue, and within the neighborhoods; general problems with congestion, loss of open space, overburdening of existing public facilities, the loss of the Garrett park train station if a new station is built - all these and other problems were of great concern to local residents, the Mayor noted, and that Town government needs to become more active in this matter. Councilmember Mandel noted that he had been attending meetings of the original advisory committee formed by Maryland-National Capital Park and Planning Commission (M-NCPPC), but that group had been dissolved in January and that the new Coalition of Citizens Associations has a critical role to play in dealing with White Flint, as well as the effects of the relocation of Walter Reed Hospital to the grounds of the Naval Medical Center in Bethesda as part of the Base Realignment Commission project (BRAC).
- Mayor Keller reported on his meeting with Mark Wallace, Senior Planner with the Montgomery County Department of Park & Planning regarding the possible land swap with the Town the Town's part of Garrett-Waverly Park next to Penn Place for the Garrett Park Estates Community Center. The Mayor told the Council that Mr. Wallace had asked that the Town prepare drafts of an easement to protect the Town's access to Porcupine Woods and a memorandum of understanding to insure that Garrett-Waverly Park remains a neighborhood park, for the department's review.
- The Mayor thanked Councilmembers Hansen and Berry for their service to the Town.

Councilmember's Reports on Areas of Responsibility

- Councilmember Irons reported that the Land Use Task Force had met twice and had set up a meeting schedule for the rest of the year. Three subcommittees had been formed: Technical Standards, Research, and Communications.
- Councilmember Irons also reported that the Garrett Park Conservation Action Network (GP CAN) had joined with other local groups to support a Green Day on Saturday, May 9th, to be held on the grounds of the Kensington Town Hall from 10 AM to 1 PM. There will be bulk shredding available, demonstrations on "green" issues, compost bins will be available, and a Garrett Park truck will be available for recyclable metals and fabrics.

Approval of Minutes:

- Councilmember Wegner **MOVED**

That the minutes of bthe 03/09/2009 Regular Council Meeting be approved as distributed. The motion was seconded by Councilmember Irons and was **PASSED** unanimously.

Action/Discussion:

Amendment & Adoption of Ordinance 2009-01 - FY 2010 Budget - Mayor Keller noted that as more information about FY 2010 had become available a number of changes were needed in the introduced ordinance. After brief discussion, Councilmember Wegner **MOVED**

That the introduced Ordinance 2009-01, the FY 2010 Operating & Capital Budget, be adopted, setting the Real Property Tax Rate at a Constant Yield Rate of 19.2 cents per \$100 of valuation and the Municipal Refuse Fee at \$355 per household. Councilmember Mandel seconded the motion. Councilmember Wegner **MOVED**

That Ordinance 2009-01 be amended as presented in the report dated April 13th, 2009 (Attached to these minutes). Councilmember Mandel seconded the motion to amend, which was **PASSED** unanimously. Mayor Keller called for the vote on the amended motion, which also **PASSED** unanimously

Town Administrator Report:

- <u>Monthly Financial Report</u> - Administrator Pratt reviewed the monthly financial report with the Council

Adjournment: The meeting adjourned at 9:31 PM.

Respectfully submitted,

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer



Town of Garrett Park

FY 2010 Operational & Capital Budget

Ordinance 2009-01

Introduced March 9th, 2009

Amended & Adopted

April 13th, 2009

FY 2010 Budget: Ordinance 2009-01

REVENUES

1000 - TAXES & FEES:

FY 2010 REAL ESTATE TAX collections are projected to be level with estimated FY 2009 collections of \$440,000. There is a slight (1%) drop of \$2,250,000 in the Town's net assessable tax base to \$229,280,389, resulting in a Constant Yield Tax Rate of 19.2 cents. A significantly greater reduction in the tax base is expected in FY 2011.

<u>PERSONAL PROPERTY TAXES</u> are expected to decline slightly due to a drop off in taxes paid by businesses owned and operated out of homes by residents. We expect taxes on utilities' property and on businesses in Penn Place to remain the same.

LOCAL INCOME TAX receipts are projected to decline to \$150,000, a 50% reduction from FY 2008 receipts, and a 25% reduction from FY 2009 projections. This is an "educated guess" as there are two variables which are difficult to quantify: the effect of the current recession on residents' income tax payments; and the actions the state may take to reduce the local share of income tax receipts in order to balance the state budget.

LICENSES & PERMITS We anticipate a reduction in building permit fees.

2000 - INTERGOVERNMENTAL REVENUES:

HIGHWAY USER FUND receipts for FY 2010 were originally projected by the state to be \$54,456, but are now anticipated to be \$35,000. Recent legislative action to fund the deficit in the state budget has cut approximately 30% from these funds.

OTHER STATE GRANTS: The recent Cambria Park Project will use up approximately \$36,000 of the Town's Program Open Space funds, leaving \$20,000 available for further projects. However, as no proposals are ready for grant application at this time, none of this potential funding is anticipated in the budget.

MONTGOMERY COUNTY REVENUE SHARING is now projected to be \$35,000. The County Executive has promised to try to level-fund Revenue Sharing, but a 30% adjustment down seems prudent, given the County's own financial challenges. The Historic Preservation Committee has applied for a County Historic Preservation Grant of \$2,250 as a 50% match for developing an interactive page on the website to enhance the historic house walking tour brochure that was developed last year.

3000 - SERVICE CHARGES:

MUNICIPAL REFUSE FEES are reduced by \$15,200 (11%) due to a decrease in the fuel adjustment charge. Our contractor has agreed to keep all other charges the same for FY 2010.

5000- MISCELLANEOUS REVENUES:

<u>INVESTMENT EARNINGS</u> are to be expected to be much reduced as our invested funds balance will be significantly lower than in FY 2009, and interest rates have fallen almost to Zero.

RENTS & CONCESSIONS: The increase in Rents and Concessions reflects the contracted increase for the Black Market Bistro. New leases for other tenants need to be negotiated before October. Also, activity at the Town Hall has continued at a high level, so we expect to see Town Hall revenue of at least \$20,000.

<u>CONTRIBUTIONS & DONATIONS</u>: For each of the past five years the Town has received a grant of \$20,000 to support the Town's archives and related educational and public records preservation projects. Due to the current decline in the stock market the grantor, the Cove Charitable Trust of Boston, has been forced to reduce this grant to \$10,000.

RESERVES & CONTINGENCIES

25000 - Transfer to Operating Reserve: This proposed budget places an additional \$50,000 into the Operating Reserve. This will increase the reserve's balance to \$175,000, 20% of the operating budget. Funds may be withdrawn from the Operating Reserve by Ordinance only, and are held in the Town's interest-bearing account in the Montgomery County Pooled Investment Fund. Actively managed by the County's Finance Department, the Pooled Investment Fund holds the County's reserves as well as funds from other municipalities.

Operating Contingency: The budget proposes an Operating Contingency of \$30,000. Funds may be transferred from Contingency to other lines in the budget by Council resolution.

Capital Contingency: This is reduced to Zero in this budget. However, when the books are closed for FY 2009 there is expected to be "Free Cash," that comprises funds held in the treasury that have not been appropriated. These funds are available to the Council for additional appropriations, some of which may be applied to the CAPITAL PROGRAM.

TRANSFERS

FY 2009 Surplus: An estimated FY 2009 budget surplus of \$39,175 will help offset a cash flow deficit resulting from the expenditure of \$53,000 of prior years' capital appropriations. It is proposed to apply \$37,125 from available funds in the treasury ("free cash") to the FY 2010 budget, resulting in a total draw on the Town's "Free Cash" of \$90,125. Current projections put the total "Free Cash" available at the end of FY 2009 to be \$289,407, so a balance of just under \$200,000 is projected for the start of FY 2010.

EXPENDITURES

10000 PERSONNEL:

SALARIES This line reflects the 7% second year increase provided for in the current 3-year contract with the Town Administrator, as well as a 5% increase for the Maintenance Superintendant and Town staff. It is anticipated that the FY 2011 and FY 2012 budgets may require a renegotiation of the Town Administrator's contract due to the need to limit or forego any salary increases in those years. Given that the Town's staffs' salary range is in the lower end of prevailing wages for similar positions in Montgomery County, it seems reasonable to provide for these increases in FY 2010 when the Town's financial position remains fairly robust.

OVERTIME Due to increased staffing and increased capability, especially in snow removal, it has been possible to cut the need for overtime.

<u>BENEFITS</u> are projected to increase by 3%, primarily driven by an estimated 7% increase in health insurance costs. The Town's self-insurance program continues to provide for excellent cost containment.

PAYROLL TAXES, PENSION CONTRIBUTION, and WORKERS COMPENSATION INSURANCE increases are directly tied to salary increases.

11000 TOWN ADMINISTRATION:

ELECTED & APPOINTED OFFICIALS This line is substantially increased, due to the addition of \$4,500 for the Historic Preservation Committee's project, to be 50% offset by a County grant, and \$2,500 to establish a budget for the Land Use Task Force.

<u>ARCHIVES & PUBLIC RECORDS</u> The reduction of \$6,800 is an adjustment to the decline in grant funds.

PROFESSIONAL FEES There is a dramatic drop of \$179,000 in legal fees as a result of the settlement of Martin v. Garrett Park.

12000 SPONSORSHIPS, SUBSCRIPTIONS, DUES:

MEMBERSHIP DUES These are the Town's annual dues to the Maryland Municipal League (MML). An increase of \$500 is projected.

SPONSORSHIPS We are increasing the Town's support for the Citizens Association from \$950 to \$1,500 to help defray increase publishing costs for the *Bugle*. Also, the Town has pledged \$5,000 to the Garrett Park Elementary School Educational Foundation in support of funding an enlarged stage in the new school building.

13000 BUILDINGS & GROUNDS: Mainly on-going repairs and maintenance adjusted for increased wear & tear.

14000 TOWN SERVICES:

<u>ROADS & SIDEWALKS</u> Funding in this line is increased \$3,375 (5%) primarily to provide for re-painting road markings and replacing and repairing missing and damaged signage.

MUNICIPAL REFUSE This line is reduced \$15,200, primarily due to a reduction in the fuel surcharge the Town had been paying its contractor, Montgomery County Sanitation and Recycling. The contractor has agreed to no increase in service charges in FY 2010.

<u>ARBORETUM</u> This has been level funded. The Capital Budget has \$5,000 for new trees.

<u>PARKS</u> funding is increased \$2,725 (70%) to make up for underfunding in recent years.

16000 EQUIPMENT REPAIR & MAINTENANCE: This account is level-funded for FY 2010. The only possible problem would be a significant increase in the price of gasoline, but most projections see only modest increases until demand for oil increases with a global economic recovery, which is not expected to begin until late in 2010 or early 2011.

17000 PUBLICATION EXPENSES: This is the account for the Town's website maintenance and development contract with the website's designer.

18000 CONFERENCES, MEETINGS, TRAINING: This line is increased by \$1,400 to cover MML events, special events the Town might host, and staff training. It does not support attendance at major conferences.

19000 OPERATING CONTINGENCY: This is maintained at \$30,000.

23000 TRANSFERS TO CAPITAL: This is set at \$55,000 for FY 2010. The one new project anticipated is the extension of the North Kenilworth Drain.

25000 TRANSFERS TO OPERATING RESERVE: This transfer is set at \$50,000, bringing the total OPERATING RESERVE to \$175,000, 20% of the operating budget.

TOTAL EXPENDITURES: Total FY 2010 Operating & Capital budget is \$982,675, a reduction of 13% from the FY 2009 budget.

TOWN OF GARRETT PARK

FY 2010 Budget

	FY 2010	FY 2010	FY 2010	FY09 Budg	et to
RECEIPTS	Adopted AMENDMENTS		AS INTRODUCED	FV10 Rudget	
RECEII 15	Ord 2009-	to be Considered 04/13/09	03/09/09	Increase	%
	01	04/13/09	l	(Decrease)	
1000 - Taxes & Fees	<u>613,600</u>	(10,000)	<u>623,600</u>	(36,375)	60/
1100 - Local Property Taxes	450,500	0	450,500	14,700	<u>-6%</u> 3%
1110 Real Property Taxes	440,000	0	•	15,000	4%
1120 Personal Property Taxes	9,500	0			-3%
1170 Penalties & Interest	750		, 750		50%
1180 Homestead Tax Credit	250		250	(250)	-50%
1200 Local Income Taxes	150,000	(10,000)	160,000	(50,000)	-25%
1300 Other Local Taxes	0	0	0	0	
1400 Licenses and Permits	13,100	0	13,100	(1,075)	-8%
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2000 - Intergovernmental Rev.	72,300	<u>(22,750)</u>	95,050	(84,350)	<u>-52%</u>
2200 From State of Maryland	35,000	(15,000)	50,000	(65,750)	-65%
2300 From Montgomery Co.	37,300	(7,750)	45,050	(18,600)	-27%
3000 - Services Charges	<u>127,350</u>	<u>(5,200)</u>	<u> 132,550</u>	(15,150)	<u>-11%</u>
3100 Gen. Government Charges	550	0	550	50	10%
3200 Municipal Refuse Fees	126,800	(5,200)	132,000	(15,200)	-11%
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4000 - Fines & Forfeitures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
5000 - Miscellaneous Receipts	132,300	850	131,450	(7,000)	<u>-5%</u>
5100 Investment Earnings	2,000	(1,000)	3,000	(4,200)	-68%
5200 Rents and Concessions	120,200	2,250	117,950	6,800	6%
5210 Town Hall Rents	20,000	0	- ,	1,900	10%
5220 Penn Place Rents	98,275	2,275			5%
5230 Swimming Pool Assoc.	1,925	(25)			9%
5300 Contributions Donations	10,000			(10,000)	-50%
5500 Sale of Property	100			100	0%
5900 Miscellaneous - Other	0	(300)	300	300	0%
Annual Operating Receipts:	945,550	(37,100)	982,650	(142,875)	-13%
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9000 - Transfers In(Out)	37 <i>.</i> 125	17,825	19,300	0	
9000 - Transfers In(Out)	<u>37,125</u>	<u>17,825</u>	<u>19,300</u>	<u>0</u>	-
9000 - Transfers In(Out)	<u>37,125</u>	<u>17,825</u>	<u>19,300</u>	<u>0</u>	<u>.</u>
9000 - Transfers In(Out) Total Receipts:	<u>37,125</u> 982,675	<u>17,825</u> (19,275)	<u>19,300</u> 1,001,950	<u>0</u> (142,875)	-9%

TOWN OF GARRETT PARK

FY 2010 Budget

EXPENDITURES	FY 2010 Budget Adopted	FY 2010 AMENDMENTS	FY 2010 AS INTRODUCED	Budget to Budget	
	Ord. 2009-01	to be Considered 04/13/09	Ord. 2009-01	Increase (Decrease)	%
			I 	<u> </u>	
<u> 10000 - Personnel</u>	<u>\$352,850</u>	<u>(\$150)</u>	<u>\$353,000</u>	<u>\$16,250</u>	<u>5%</u>
10100 Salaries	\$246,700	\$0	. ′		6%
10200 Overtime	\$2,500	\$0		` ′	-22%
10300 Benefits	\$75,650	(\$150)			3%
10400 Payroll Taxes, Etc.	\$28,000	\$0	\$28,000	\$1,600	6%
11000 - Town Administration	<u>\$95,600</u>	\$3,300	\$92,300	(\$174,575)	-65%
11100 Elected & Appointed Officials	\$9,500	\$6,750	\$2,750	\$6,800	252%
11200 Elections	\$1,500	\$250	•		0%
11300 Archives & Public Records	\$15,000	(\$5,000)	1		-27%
11400 General Administrative	\$20,600	(\$200)	I	· ` ` ` ·	8%
Expense		` ′	l '		
11700 Professional Fees	\$37,500	\$2,000		, ,	-83%
11800 Insurance	\$10,250	\$0	1		5%
11900 Town Administration - Other	\$1,250	(\$500)	\$1,750	\$250	25%
12000 - Dues, Sponsorships &			[[[[[
Subs.	\$10,500	\$0	\$10,500	\$6,800	<u>184%</u>
12100 Membership Dues	\$3,500	\$0	\$3,500	\$500	17%
12200 Sponsorships	\$6,800	\$0			1260%
12300 Subscriptions	\$200	\$0	1		0%
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13000 - Buildings & Grounds	<u>\$83,725</u>	(\$2,275)	\$86,000	\$175	<u>0%</u>
13200 Penn Place	\$72,500	\$0	\$72,500	\$3,100	4%
13300 Town Hall	\$10,975	(\$2,025)	\$13,000	(\$2,725)	-20%
13400 Maintenance Facility	\$250	(\$250)	\$500	(\$200)	-44%
14000 - Town Services	<u>\$223,400</u>	(\$8,400)	<u>\$231,800</u>	(\$9,050)	<u>-4%</u>
14100 Roads & Sidewalks	\$64,950	\$450			5%
14200 Stormwater Drainage	\$550	\$0	l '		10%
14300 Municipal Refuse	\$126,800	(\$5,200)	-		-11%
14400 Arboretum	\$21,600	(\$3,400)	=	-	0%
14500 Fees	\$2,900	(\$100)	\$3,000	\$0	0%
14600 Parks	\$6,600	(\$150)	\$6,750	\$2,725	70%
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16000 - Equip. Maintenance &	<u>\$14,500</u>	<u>(\$1,500)</u>	<u>\$16,000</u>	<u>\$0</u>	<u>0%</u>
<u>Repair</u>				_	

EXPENDITURES	FY 2010 Budget Adopted Ord. 2009-01	FY 2010 AMENDMENTS to be Considered 04/13/09	FY 2010 AS INTRODUCED Ord. 2009-01	Budget to B Increase (Decrease)	udget %
17000 - Publication Expenses	<u>\$1,000</u>	<u>(\$250)</u>	<u>\$1,250</u>	<u>(\$250)</u>	<u>-20%</u>
18000 - Conferences, Meetings, Training	- <u>\$2,500</u>	<u>\$0</u>	<u>\$2,500</u>	<u>\$1,400</u>	<u>127%</u>
19000 - Contingency	<u>-</u> \$30,000	<u>\$0</u>	<u>\$30,000</u>	<u>\$0</u>	<u>0%</u>
20000 - Interest, Depreciation, Debt Service	- <u>\$60,600</u>	<u>\$0</u>	<u>-</u> <u>\$60,600</u>	<u>\$0</u>	<u>0%</u>
21000 - Taxes, Bad Debt	<u>-</u> \$3,000	<u>\$0</u>	<u>\$3,000</u>	<u>(\$3,050)</u>	<u>-50%</u>
Total Operating Expense:	\$877,675	(\$9,275)	\$886,950	(\$162,300)	- 16%
23000 - Transfer to Capital Project Fund*	<u>\$55,000</u>	<u>\$0</u>	<u>\$55,000</u>	<u>\$11,150</u>	<u>25%</u>
25000 - Transfer to Operating Reserve	<u>\$50,000</u>	<u>(\$10,000)</u>	<u>\$60,000</u>	<u>\$50,000</u>	
Expenses: Budgeted & Actual:	\$982,675	(\$19,275)	\$1,001,950	(\$101,150)	9.3%

TOWN OF GARRETT PARK FY 2010 Capital Budget & Program

Capital Budget

FY 2010

Account	Estimated Prior Year Appropriations 06/30/09	Adopted FY 2010 Capital Budget Ord. 2009-01	Total Capital Appropriation 07/01/09
23000 - CAPITAL BUDGET	<u>\$3,950</u>	<u>\$55,000</u>	<u>\$58,950</u>
23100 - Capital Purchases	\$0	\$0	\$0
23200 - Capital Construction	\$3,950	\$50,000	\$53,950
23210 - Construction: Facilities	\$1,200	\$20,000	\$21,200
23220 - Construction: Streets & Curbs	\$2,750	\$5,000	\$7,750
23230 - Construction: Utilities	\$0	\$0	\$0
23240 - Construction: Sidewalks	\$0	\$0	\$0
23250 - Construction: Storm Drains	\$0	\$15,000	\$15,000
23260 - Construction: Parks & Grounds	\$0	\$10,000	\$10,000
23290 - Construction: Other	\$0	\$0	\$0
23300 - Arboretum Capital Expense	\$0	\$5,000	\$5,000
23800 - Capital Planning Expense	\$0	\$0	\$0
23900 - Capital Budget Contingency	\$0	\$0	\$0

Capital Program

FY 2010

Project	Capital Program 07/01/09	Capital Expense for Period 07/01/09	Total Capital Appropriation 07/01/09
CAPITAL PROGRAM	\$58,950	\$0	\$58,950
Capital Purchases	\$0	\$0	\$0
Capital Construction	\$53,950	\$0	\$53,950
North Kenilworth Drain Repairs (FY09)	\$15,000	\$0	\$15,000
Parks & Recreation - Playground Equipment (FY10)	\$5,000	\$0	\$5,000
Penn Place Bathrooms (FY10)	\$5,000	\$0	\$5,000
Street Rehab. (CIP FY10)	\$7,750	\$0	\$7,750
Town Hall (CIP, p17)(FY09&FY10)	\$16,200	\$0	\$16,200
Yeandle Park (FY10)	\$5,000	\$0	\$5,000
Arboretum Capital Expense	\$5,000	\$0	\$5,000
Capital Planning (FY05 & FY06)	\$0	\$0	\$0
Capital Contingency (FY06)	\$0	\$0	\$0